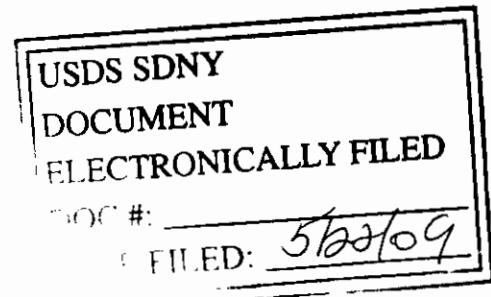


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



MARC BONNANT,

Plaintiff,

-v-

MERRILL, LYNCH, PIERCE, FENNER & SMITH,
INC. and MERRILL LYNCH CAPITAL
SERVICES, INC.,

Defendants.

No. 09 Civ. 3007 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

On May 21, 2009, the Court conducted a conference regarding Plaintiff's application for a preliminary injunction. For the reasons discussed at the conference, the Court hereby adopts the following schedule:

By May 28, 2009, Plaintiff shall submit a letter: (1) stating whether he consents to the conversion of his application for a preliminary injunction to a motion for summary judgment, *see* Fed. R. Civ. P. 65(a)(2); (2) identifying any portions of the documents discussed at the May 21, 2009 conference as to which there are disputes regarding authenticity; (3) describing why those disputes are relevant to the resolution of the issues currently before this Court; and (4) proposing some form of limited discovery to resolve any such disputes.

By June 1, 2009, Defendants shall respond to each of the issues raised in Plaintiff's submission.

SO ORDERED.

Dated: May 22, 2009
New York, New York

A handwritten signature in black ink, appearing to read "R. Sullivan".

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE